



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov
AMB 05-02

Paper No. 8

CHARLES A. CREHORE
ULMER & BERNE, LLP
1300 EAST NINTH STREET
SUITE 900
CLEVELAND, OH 44114

COPY MAILED

JUN 17 2002

In re Application of
Hertelendy, et al.
Application No. 09/516,078
Filed: March 1, 2000
Attorney Docket No.: 45061-8
For: UROGENTIAL OR ANORECTAL
TRANSMUCOSAL VACCINE DELIVERY
SYSTEM

PETITION

OFFICE OF PETITIONS

PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed May 24, 2001.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application was held abandoned July 12, 2001 for failure to timely reply to the non-final Office action. The non-final Office action set a three (3) month shortened statutory period of time for reply. Notice of Abandonment was mailed March 27, 2002.

Petitioner asserts that a petition for an extension and an amendment were timely filed October 11, 2001. Petitioner has provided a copy of the response originally filed which bears a certificate of mailing date of October 11, 2001.

The response submitted October 11, 2001 has not been located in the Office, however, in view of the evidence submitted, the response is deemed timely.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to Technology Center 1600 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-0310.

Elicia M. Brown

Alesia M. Brown
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy